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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q55591

Jun-jin KONG, et al.

Appln. No.: 09/386,965

Group Art Unit: 2631

Confirmation No.: 1967

Examiner: PHU, PHUONG M.

Filed: August 31, 1999

For: METHOD AND APPARATUS FOR DETERMINING RATE OF DATA  
TRANSMITTED AT VARIABLE RATES

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

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Technology Center 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

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180.00 DP

**INFORMATION DISCLOSURE STATEMENT**  
**U.S. Appln. No.: 09/386,965**

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations: Applicant relies on the English Abstracts as the brief statements of relevance.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Peter A. McKenna  
Registration No. 38,551

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Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 25, 2004

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

*Complete if Known*

Application Number	09/386,965
Confirmation Number	1967
Filing Date	August 31, 1999
First Named Inventor	Jun-jin KONG
Art Unit	2631
Examiner Name	PHU, PHUONG M.
Attorney Docket Number	Q55591

Sheet	1	of	1
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[illegible][illegible][illegible]**Date Considered**

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.



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**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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